

REMARKS

Claims 1 through 5 and 7 through 17 are now pending in the application. Claims 1 and 9 have been amended and Claim 6 has been canceled. Bases for the amendments can be found throughout the application, claims and drawings as originally filed and as such, Applicant submits that no new matter has been presented. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 3 through 5, 7, 14, 16 and 17 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ito et al. (U.S. Pat. No. 6,244,015). This rejection is respectfully traversed.

Applicant notes that Claim 1 has been amended to incorporate the limitations of Claim 6 (i.e., a heads-up display for displaying a set of data transmitted thereto by the controller) therein. Applicant further notes that Ito does not teach or suggest a heads-up display. In this regard, the Examiner has referred to column 4, lines 39 through 54. Applicant notes, however, that this portion of Ito describes a line-of-sight detector (116). More specifically, the indicated portion of Ito (with reference to Figure 5 of Ito) describes the configuration of a helmet (114) having TV cameras (115), a line-of-sight detector (116) and a semi-transparent mirror (120) having a surface that is treated to transmit and reflect near infrared rays. The line-of-sight detector (116) irradiates infrared rays that are reflected off the surface of the semi-transparent mirror (120) to "thereby fall upon an eyeball of the worker or operator, whereby a virtual image is formed inside a

cornea thereof". Applicant notes, however, that the infrared rays are associated with the line-of-sight detector (116) and as such, they appear to be employed to identify the orientation of the worker's cornea rather than to form an image. Applicant notes, too, that infrared radiation is not visible to a human eye and as such, cannot produce a heads-up display. In this regard, Applicant notes that the human eye typically has a maximum sensitivity of about 555 nm, while near infrared radiation has a wavelength of 700 to 1400 nm. Consequently, infrared radiation is not light and cannot form a heads-up display.

In view of the above-remarks, Applicant respectfully submits that Ito does not teach or suggest each and every limitation of Claim 1 and as such, Applicant respectfully submits that Ito does not present a prima facie case of anticipation. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of Claim 1 under 35 U.S.C. §102(b).

Applicant notes, too, that Claims 3 through 5, 7, 14, 16 and 17 depend from Claim 1 and thus should be in condition for allowance for the reasons set forth for Claim 1, above.

REJECTION UNDER 35 U.S.C. § 103

Claims 8 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ito (U.S. Pat. No. 6,244,015). This rejection is respectfully traversed.

Applicant incorporates by reference the above comments concerning the Ito reference. Applicant notes that as Claims 8 and 9 depend from Claim 1, they should be in condition for allowance for the reasons set forth for Claim 1 above.

Applicant further notes that Ito does not teach or suggest each limitation of Claim 9. In this regard, Applicant notes that Claim 9 recites "a plurality of lights, each of the lights being mounted on the at least one article proximate each of the first and second video cameras, each of the lights being selectively controllable to provide a source of light". The Examiner has cited column 5, lines 4 through 6 and column 7, lines 16 through 19 of Ito, indicating that these portions of Ito meet the plurality of lights limitation.

Applicant notes that column 5, lines 4 through 6 discuss a multiscreen display (11) that is housed in an operation room (6) that is disposed remotely from the worker or operator. Applicant submits that the multiscreen display (11) is not mounted on an article that is to be worn by the worker. Applicant notes, too, that column 7, lines 16 through 19 of Ito discuss the line-of-sight detector (116) which is discussed above. In short, the line-of-sight detector (116) produces infrared radiation that is not visible and thus does not produce light. Accordingly, Applicant submits that Claim 9 is additionally in condition for allowance because the Ito reference does not teach or suggest an article-mounted light that may be selectively illuminated.

Claims 10-13, and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ito (U.S. Pat. No. 6,244,015) in view of Jacobsen et al. (U.S. Pat. No. 6,198,394). This rejection is respectfully traversed.

Applicant incorporates by reference the above comments concerning the Ito reference. Applicant notes that as Claims 10-13 and 15 depend from Claim 1, they should be in condition for allowance for the reasons set forth for Claim 1 above.

Applicant further notes that the combination of Ito and Jacobsen does not teach or suggest each limitation of Claims 12 and 13. In this regard, the Examiner has stated that Ito does not teach or suggest an alarm device that is coupled to the article and which generates an alarm signal if the individual wearing the article has entered an unauthorized area. The Examiner has cited column 9, lines 29 through 32 and column 11, lines 46 through 50 of Jacobsen as teaching or suggesting the aforementioned alarm device. Applicant notes that column 9, lines 29 through 32 disclose that the Jacobsen device includes a pair of buttons that permit a soldier to choose what information is displayed and to control LCD illumination (i.e., the amount of backlighting that is provided to the LCD display). Applicant also notes that column 11, lines 46 through 50 disclose that the controller of the Jacobsen device may produce an audible or other alarm (for the soldier) but no mention is made of the alarm being triggered as a result of the soldier's entry into an unauthorized area. Accordingly, Applicant submits that Claims 12 and 13 are additionally in condition for allowance because neither Ito nor Jacobsen teaches or suggests an alarm device that is activated upon entry into an unauthorized area.

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ito (U.S. Pat. No. 6,244,015) in view of Curatolo et al. (U.S. Pat. No. 6,510,380). This rejection is respectfully traversed.

Applicant incorporates by reference the above comments concerning the Ito reference. Applicant notes that as Claim 2 depends from Claim 1, it should be in condition for allowance for the reasons set forth for Claim 1 above.

Applicant additionally notes that GPS reception within the building environment of Ito is typically very poor or worse. As such, Applicant submits that there is no suggestion in the Ito and Curatolo references themselves or in the art generally to incorporate the GPS receivers of Curatolo with the Ito device. Accordingly, Applicant submits that the Office has not presented a prima facie case of obviousness and respectfully requests reconsideration and withdrawal of the rejection of Claim 2 under 35 U.S.C. §103(a).

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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